

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

EDUARDO GONZALEZ, ANTHONY OCAMPO, ENCARNACIÓN GUTIERREZ, JOHAN MONTOYA, JUANCARLOS GOMEZ-MONTEJANO, JENNIFER LU, AUSTIN CHU, IVY NGUYEN, ANGELINE WU, ERIC FIGHT, CARLA GRUBB, DAVID CULPEPPER, PATRICE DOUGLASS and ROBAIR SHÉRROD on behalf of themselves and all others similarly situated,

Plaintiffs,

vs.

ABERCROMBIE & FITCH STORES, INC., A&F CALIFORNIA, LLC and A&F OHIO, INC.,

Defendants.

ELIZABETH WEST and JENNIFER LU,

Plaintiffs,

vs.

ABERCROMBIE & FITCH STORES, INC., A&F CALIFORNIA, LLC, A&F OHIO, INC., and ABERCROMBIE & FITCH MANAGEMENT CO.,

Defendants.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,

Plaintiffs,

Case No. C03-2817 SI, 04-4730 and 04-4731

**ORDER DIRECTING DEFENDANTS TO FILE UNDER SEAL THE COURT-APPOINTED MONITOR'S ANNUAL COMPLIANCE REPORTS AND TO FILE EXECUTIVE SUMMARIES IN THE PUBLIC RECORD**

Dept.: Courtroom 10, 19th Floor  
Judge: Hon. Susan Illston

1                   vs.

2                   ABERCROMBIE & FITCH STORES,  
 3                   INC., A&F CALIFORNIA, LLC, A&F  
 4                   OHIO, INC., and ABERCROMBIE &  
 5                   FITCH MANAGEMENT CO.,

6                   Defendants.

7                   The Court, having advised the parties of its desire to review the Court-appointed  
 8                   Monitor's Second Annual Compliance Report and subsequent Annual Compliance Reports  
 9                   ("Reports") and the Executive Summary of the Court-appointed Monitor's Second Annual  
 10                  Compliance Report and subsequent Executive Summaries ("Executive Summaries"), having  
 11                  reviewed Defendants' Motion for Order Directing Court-Appointed Monitor's Annual  
 12                  Compliance Reports and Executive Summaries Thereof to be Filed Under Seal and all written  
 13                  opposition thereto, and having determined that the Reports will be received and reviewed by the  
 14                  Court under seal subject to any party requesting to have the seal lifted for good cause shown, and  
 15                  having determined that the Executive Summaries will be received and reviewed by the Court and  
 16                  not be filed under seal,

17                  IT IS HEREBY ORDERED that Defendants file the Monitor's Annual Compliance  
 18                  Reports under seal until further Order of the Court and without prejudice to any party filing a  
 19                  request to have the seal lifted for good cause shown. It is also hereby Ordered that Defendants  
 20                  file the Monitor's Executive Summaries in the public record, and not under seal. Said filings  
 21                  shall be made no later than ten days prior to the annual Status Conference with the Court. In  
 22                  keeping with this decision, the Court-Appointed Monitor's First Annual Compliance Report,  
 23                  which was previously filed under seal, shall remain under seal. However, Defendants are  
 24                  Ordered to file in the public record the Executive Summary of the Court-Appointed Monitor's  
 25                  First Annual Compliance Report, which was previously filed under seal.

26                  IT IS SO ORDERED.

27                  Date: \_\_\_\_\_  
 28                  9/20/07

  
 Honorable Susan Illston  
 United States District Judge